

# Workers Compensation Claim Form

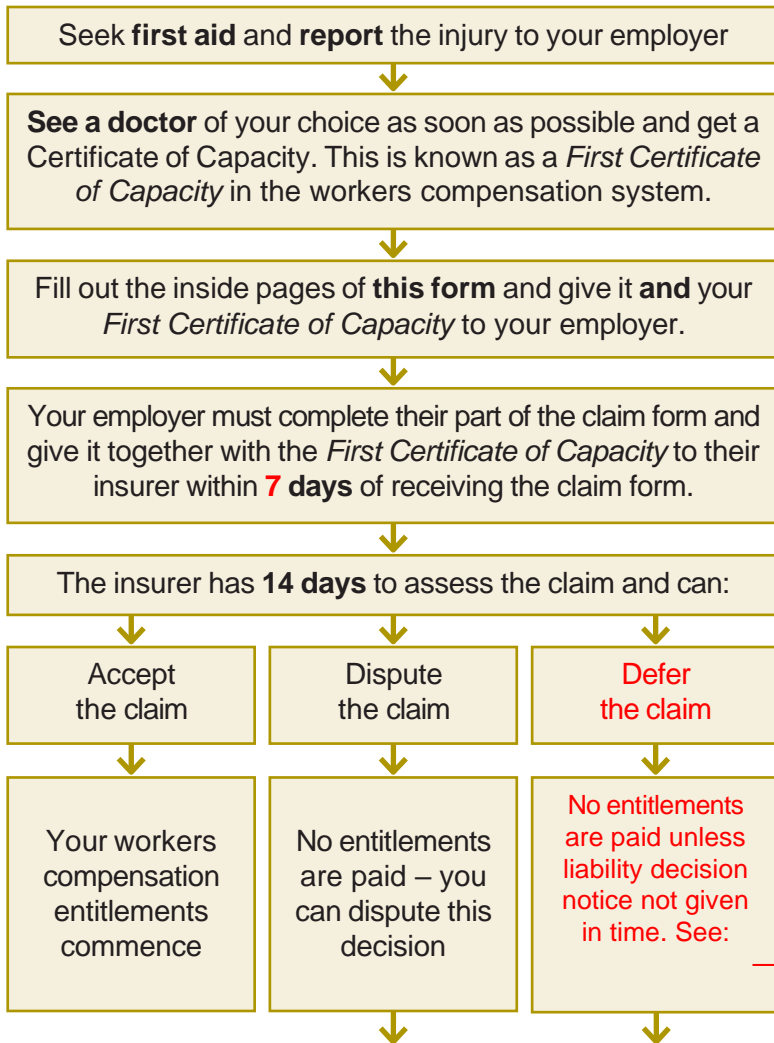
Workers – tear off and keep this section for your information



## Who can make a claim?

You are entitled to make a claim if you **suffer an injury from employment** and are defined by law as a worker. ~~The legal definition of a worker includes full-time, part-time, casual, seasonal, piece and commission workers an employer may employ. Working directors, contractors and sub-contractors may also be defined as workers depending on their working arrangements.~~

## How to claim:



Self-Insurer Info to be deleted as there is no distinction regarding claims process

New Section

### What happens if my claim is deferred?

An insurer or self-insurer can defer making a decision on your claim if they need more time to make a decision.

Insurers and self-insurers must give you either a **liability decision notice** or a **deferred decision notice** within 14 days of receipt of the claim. If neither of these notices are given within 14 days, liability is taken to be accepted.

If a liability decision notice cannot be given within 28 days of receipt of the claim, provisional payments will become payable.

While your claim is being assessed, consider using any accrued leave (sick leave or annual leave) to provide you with interim financial support. If your claim is accepted, any leave you have used will be reinstated by your employer.

## What happens if you don't agree with the insurer's decision?

Your employer's insurer has an internal dispute resolution process. You can approach the insurer to re-examine their decision.

In addition, WorkCover WA provides assistance regarding resolving disputes.

To find out more about having a dispute resolved or for general information about workers compensation and injury management contact **WorkCover WA's Advisory Services on 1300 794 744.**

WorkCover WA is the government agency responsible for overseeing the *Workers Compensation and Injury Management Act 2023.*

## What does workers compensation cover?

Once your claim is accepted you become entitled to workers compensation payments. These may include:

- **income compensation for lost earnings** that should be paid on your normal pay day for any **period of time** that your doctor has certified you unfit for work
- **medical and health expenses** for hospital, medical and allied health treatment services **that are reasonably necessary** by your doctor and approved by the insurer. ~~Your medical expenses are covered only up to a workers compensation rate which is set by WorkCover WA. Be sure to check that your doctor charges this rate otherwise you may be left with a gap payment~~
- **workplace rehabilitation expenses** to cover the cost of engaging an **approved workplace rehabilitation provider** to help **you** return to work
- **travel and accommodation** expenses in certain situations.

Contact WorkCover WA for publications about your rights, responsibilities and entitlements.

**Income compensation, medical and health and workplace rehabilitation payments** are limited and subject to maximum amounts. You can call our Advisory Services on 1300 794 744 or visit [www.workcover.wa.gov.au/workers](http://www.workcover.wa.gov.au/workers) for further information.

While your claim is being assessed, you can ask your employer to pay you sick leave or annual leave you have already accrued. If your claim is accepted, you will receive your workers compensation entitlements and your employer will reinstate your leave. **Remember you must have a Certificate of Capacity to cover any time you are away from work.**

## Know and understand your rights and responsibilities

You:

- have the right to **choose your own treating doctor** and **workplace rehabilitation provider**
- **have the right to privacy while being examined or treated by your GP**
- **Your employer, the employer's insurer or an agent of the insurer cannot be present**
- have the right to **claim lost wages earnings from other jobs** if you have another job/s your injury prevents you doing
- have the responsibility to **attend certain medical appointments** at the request of your employer
- **must, in cooperation with your employer, make reasonable efforts to return to work**
- have the responsibility to **participate and cooperate in the establishment of a return to work program** and comply with any reasonable conditions under the program including any obligation to undertake workplace rehabilitation.
- **must comply with any requirement to attend a return to work case conference**
- **provide each progress certificate of capacity to your employer or employer's insurer within 7 days (unless it is given by your treating doctor).**

Your employer:

- has the right to **request a medical review** via their insurer after a claim has been made
- **cannot be present while you are being examined or treated by your doctor**
- has the **right to discuss your return to work** with the treating doctor **in a return to work case conference**
- has the responsibility to have an **injury management system in place** and implement a **return to work program when required** ~~a doctor declares you fit for work in any capacity~~
- has the responsibility to keep **your original pre-injury position available, if practicable**, for 12 months **from when you were unfit for work** ~~following a claim.~~
- **cannot try and stop you from making a claim and must give your claim to their insurer.**

Together:

- you have the responsibility to work with your treating doctor **and cooperate to establish a return to work program when required.**

## Disclosure of Personal Information (consent authority)

Your employer's insurance company needs to collect, use and disclose personal information to assess, investigate and otherwise deal with your claim, **but your consent must be obtained for this to occur.**

By signing the *consent authority* on the Claim Form, **you consent to the disclosure to, and collection by, persons named in the authority of your personal information that is relevant to your injury, claim or injury management.**

If you do not provide consent **by signing the consent authority**, this may affect the insurer's ability to assess your claim and may cause delays in the claims process.

~~agree to the insurer and its appointed service providers:~~

- ~~a. collecting and using your personal information for the purpose of assessing, investigation and otherwise dealing with your current claim or any future claims.~~
- ~~b. disclosing personal information (on a confidential basis) to and collecting personal information from:
  - ~~• your employer, the insurer's entities, its investigators, auditors, medical service providers or any other party providing services to the insurer or any agent of these~~
  - ~~• other insurers, insurance intermediaries, government regulators or insurance reference bureau~~
  - ~~• lawyers and law enforcement agencies.~~~~

# Workers Compensation Claim Form

## Insurer please complete

Insurer name  Estimated time off work:

Claim number   less than one day

ANZSIC Code   1-4 work days (inclusive)

Policy number   5-9 work days (inclusive)

WorkCover number   10-20 work days (inclusive)

Has employer contacted  Y  N  more than 20 work days

medical practitioner?  Y  N  fatality

Date form received from employer

DATE STAMP

ASCO (office use only)

## Employer please complete

Name of policy holder/employer: \_\_\_\_\_

Trading as (if different to above): \_\_\_\_\_

Address: \_\_\_\_\_ Postcode: \_\_\_\_\_

Contact person name: \_\_\_\_\_ Phone No: \_\_\_\_\_ Email: \_\_\_\_\_

Address of injured worker's usual workplace or base: \_\_\_\_\_ Postcode: \_\_\_\_\_

Major activity of workplace (eg sheep farming, plumbing): \_\_\_\_\_

Date employer received the **completed** claim from the injured worker: \_\_\_\_\_

~~Date employer received Certificate of Capacity from the injured worker: \_\_\_\_\_~~

Date employer sent completed claim to insurer: \_\_\_\_\_

## Worker please complete

New field: 'unspecified' (in line with contemporary practice)

Surname: _____	D.O.B. <input type="checkbox"/> M <input type="checkbox"/> F <input checked="" type="checkbox"/> Unspecified
Other names: _____	Preferred language (if not English) _____
Address: _____	At the time of the injury I was working as a:
Suburb/City/Town: _____ Postcode: _____	<input type="checkbox"/> direct employee <input type="checkbox"/> sub contractor
Email: _____	<input type="checkbox"/> working director <input type="checkbox"/> visa worker
Daytime contact phone no: _____	<input type="checkbox"/> contractor <input type="checkbox"/> other
Occupation (eg first class welder) _____	<input type="checkbox"/> employee of contractor If other, please specify: _____
Main tasks/duties performed (eg welding of high pressure steam pipes) _____	
<input type="checkbox"/> full time (F) <input type="checkbox"/> part time (P) <input type="checkbox"/> permanent (P)	<input type="checkbox"/> temporary (T) <input type="checkbox"/> casual (C)

## Other Employment

If more than one employer, please attach details on separate sheet

Do you have any other job?  Y  N If yes, please give details: \_\_\_\_\_

Employer name: \_\_\_\_\_ Phone no: \_\_\_\_\_ Hours per week: \_\_\_\_\_

## Occurrence details

Attach separate sheet if more space is required

Day of occurrence: _____	Date of occurrence: _____	Time of occurrence: <input type="checkbox"/> AM <input type="checkbox"/> PM
At what address did the occurrence happen?		
Did you have to stop working? <input type="checkbox"/> Y <input type="checkbox"/> N	If so when? Date: _____	Time: <input type="checkbox"/> AM <input type="checkbox"/> PM
Were you: <input type="checkbox"/> working – at your normal workplace <input checked="" type="checkbox"/> working from home <input type="checkbox"/> on work break – at normal workplace <input type="checkbox"/> working – away from normal workplace <input type="checkbox"/> on work break – away from normal workplace <input type="checkbox"/> working – road traffic accident commuting/journey <input type="checkbox"/> other duty status	Describe the occurrence. Include: (i) What action was involved (ie fall, struck by object) _____ (ii) What object/machine/substance was involved (ie fumes, door frame) _____ (iii) The <b>most serious</b> injury or disease caused (ie fracture, burn, abrasion) _____ (iv) The bodily location of the injury or disease (ie upper arm, eye) _____	WorkCover WA Staff Only Mechanism Agency Nature Bodily location

## Worker please complete

### Occurrence report – Describe how it happened

Attach separate sheet if more space is required

Where did the occurrence happen? (ie store room, machinery shop)

What were you doing at the time of the occurrence?

What were the normal working hours for that day? Starting time:  AM  PM Finish time:  AM  PM

When did you first report the occurrence? Date: \_\_\_\_\_ Time:  AM  PM

Who did you report the occurrence to?

Name: \_\_\_\_\_ Position: \_\_\_\_\_ Phone No: \_\_\_\_\_

If you didn't report the occurrence immediately, please state the reason if any:

Please provide the name and daytime contact phone number of witnesses of the occurrence:

1. Name: \_\_\_\_\_ Phone No: \_\_\_\_\_

2. Name: \_\_\_\_\_ Phone No: \_\_\_\_\_

### Medical help/history – this occurrence

Attach separate sheet if more space is required

When did you first seek medical attention? Date: \_\_\_\_\_ Time:  AM  PM

If not immediately, please state the reason: \_\_\_\_\_

Was the part of the body affected by this occurrence healthy before this occurrence?  Y  N

If not, please give details: \_\_\_\_\_

Is the present injury completely related to this occurrence?  Y  N If not, please give details: \_\_\_\_\_

Please give details of any similar injury prior to this occurrence: \_\_\_\_\_

Name and contact details of your usual medical practitioner and any health provider who has treated you for a similar injury:

Name: \_\_\_\_\_ Address: \_\_\_\_\_ Phone no: \_\_\_\_\_

### Concurrent claims

Are you claiming compensation from any other source?  Y  N If yes, from whom? \_\_\_\_\_

**Note: Section on 'Previous Claims' has been removed in line with new Act**

### Worker's declaration

I declare that each and every answer above and the particulars contained herein or annexed hereto relating to myself and the occurrence are true both in substance and in fact to the best of my knowledge and belief. I take notice that, under the provisions of section 32(1) of the *Workers Compensation and Injury Management Act 2023*, I am required to give notice to my employer (**Approved Form X**) within 7 days if I commence work with another employer after making a claim, or while receiving income compensation.

Dated this: \_\_\_\_\_ day of: \_\_\_\_\_ Year: \_\_\_\_\_

Signature of worker \_\_\_\_\_

Witness signature no longer required.

### Consent authority (to be signed at the option of the worker)

I authorise any doctor who treats me (whether named in this certificate or not) to discuss my medical condition, in relation to my claim for workers compensation and return to work options, with my employer and with their insurer.

I consent to my employer's insurer and its appointed service providers collecting personal information, inclusive of sensitive information such as medical information about me and using it for the purpose of assessing and managing my workers compensation claim, including determining liability and whether my claim is true. This consent extends to my employer's insurer disclosing my personal information, inclusive of sensitive information, to other insurers, medical practitioners, rehabilitation providers, investigators, legal practitioners and other experts or consultants for the purpose of assessing and managing my claim. My personal information, inclusive of sensitive information, may also be disclosed as required or permitted by law. I also consent to my employer's insurer disclosing my personal details to WorkCover WA which is authorised to use this information to fulfil its functions and obligations under the *Workers Compensation and Injury Management Act 2023*. I have read all the information on this form regarding the consent authority and I consent to the Insurer dealing with my personal information in the manner described.

Signed \_\_\_\_\_

Print your name \_\_\_\_\_

Date \_\_\_\_\_

Consent authority is merged  
(but wording is the same)

**IMPORTANT: FAILURE TO PROVIDE YOUR SIGNATURE ON EITHER THE DECLARATION OR THE CONSENT AUTHORITY MAY DELAY A DECISION BY THE INSURER ON YOUR CLAIM**

## Checklist and handy hints

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### For the Worker

- If you need help completing the form, you can get your employer, a friend or family member to help you or you can call WorkCover WA on 1300 794 744. If required, an interpreter can also be arranged by WorkCover WA free of charge.
- Provide **all** the information requested. Give your full name, postal and email address and daytime contact phone number in case you need to be contacted.
- It may be helpful to attach a separate sheet to your claim form **if more space is needed** to provide information about your injury, how it happened and your medical history.
- Read and sign the *worker's declaration* and the *consent authority (optional)*.
- Attach the *First Certificate of Capacity* you received from your doctor to this claim form (your claim cannot be processed until both your claim form and *First Certificate of Capacity* are received).
- Keep records! Take a photocopy of your claim form and keep a record of the date you gave the claim form and Certificate of Capacity to your employer.
- Tear off the information section of this form and keep for your future reference.

### For the Employer

- Tear off the information section of this form and give it to the injured worker.**
- Make sure the worker has completed all sections of the claim form. If they have difficulty completing it, let them know that they can seek help from you, or a family member or friend.
- Make sure you complete the employer details section.
- Review the *First Certificate of Capacity*. Has the doctor indicated that the worker has **some capacity to work** in either their pre-injury job or in alternative duties? If so, you are required by law to **develop a return to work program**. Visit the WorkCover WA website [www.workcover.wa.gov.au](http://www.workcover.wa.gov.au) for further information and templates or contact your insurer for assistance.
- You are encouraged to make contact with the worker if the doctor has indicated they are temporarily unfit for work or unable to return to normal duties.
- Keep records! Develop a case file, photocopy all relevant paperwork and keep it in a safe and private location and date all correspondence.
- Forward this form to your insurer within **seven days** of receiving it. Make sure you attach:
  - the worker's *First Certificate of Capacity* and any subsequent Certificates of Capacity
  - medical accounts (if any)
  - any other reports your insurer asks you to complete.

## Further information and assistance

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WorkCover WA is the government agency responsible for overseeing the *Workers Compensation and Injury Management Act 2023* (the Act) in Western Australia.

The role of WorkCover WA is to monitor compliance with the Act, inform and educate parties on all aspects of the workers compensation and injury management system and provide an independent dispute resolution service.

If you would like further information about workers compensation and injury management or information about seminars, contact:

**Advisory Services on 1300 794 744**

### **WorkCover WA**

2 Bedbrook Place  
Shenton Park WA 6008

You may also like to view our series of educational videos including:

- Making a claim
- Injured workers: what are my entitlements?; on

[www.workcover.wa.gov.au/resources/educational-videos/](http://www.workcover.wa.gov.au/resources/educational-videos/)

### **Telephone interpreting**

To use the telephone interpreting service:

- Step 1 - Telephone: 131 450
- Step 2 - Tell the operator the language you speak
- Step 3 - Tell the operator that you would like to speak to WorkCover WA Advisory Service on 1300 794 744.

## **Injury Management**

Injury management is about managing workers' injuries in a manner that is **directed at enabling injured workers to return to work.**

Your employer should have a **written description of an injury management system** in your workplace, and this should be made available to you if you ask for it.

**You should be involved with decisions regarding your return to work.**

It is important for you to:

- keep in touch with your employer, your doctor and other treatment providers
- submit Certificates of Capacity to your employer as soon as possible and on a regular basis to help keep your employer informed of your medical condition and level of fitness for work.

If your treating medical practitioner finds that you are partially fit to return to work in some capacity, a written return to work program will be established by your employer.

Workers should fully participate with their employer and medical practitioner in developing an appropriate return to work program. This will help develop a supportive environment that has the commitment of all parties to a successful return to work process. You have the responsibility to actively participate in your return to work program once developed.

View our Return to work video on the WorkCover WA website at:

[www.workcover.wa.gov.au/resources/educational-videos/#returntoworkvideo](http://www.workcover.wa.gov.au/resources/educational-videos/#returntoworkvideo)

**Make sure you have a say in determining your future at work by being involved in discussions that affect you.**

Publications for workers, employers and insurers are available from WorkCover WA.